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April 7, 2020

VIA ECF AND VIA E-MAIL

Hon. Andrew L. Carter, Jr.
United State District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, New York 10007
ALCarterNYSDCChambers@nysd.uscourts.gov

Re: **Case No. 19 Civ. 11654 (ALC)**
Commodities & Minerals Enterprises Ltd. v.
CVG Ferrominera Orinoco, C.A.

Honorable Sir,

The undersigned law firm previously appeared for the Respondent, CVG FERROMINERA ORINOCO, C.A., in connection to an earlier related suit before Your Honor under Case Number 16 Civ. 00861. When first contacted by Petitioner's counsel in connection with the above-referenced 2019 action, however, we advised them that we have not been retained to represent the Respondent in the new matter. A true copy of our correspondence in that regard is herewith attached. Since we have nonetheless continued to receive copies of papers in the subsequent case, and having now checked the docket and reviewed the Petitioner's Affidavit of Service dated March 30, 2020 (Docket Entry No. 9), we write to provide this same information to the Court, as it does not appear to have been disclosed.

Of course, we take no position and leave it to the Court to determine if service of process was properly accomplished pursuant to Section 9 of the Federal Arbitration Act. But, for the record, we note that we are not counsel for the Respondent in this or any other extant proceeding.

And we thank the Court for its consideration.

Respectfully submitted,

MAHONEY & KEANE, LLP

By: s/ Garth S. Wolfson
Garth S. Wolfson